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Attorneys for Individual and Representative Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Philip Wong, Frederic Chaussy, and Leslie  
Marie Shearn, individually, on behalf of all  
others similarly situated, and on behalf of  
the general public,

Plaintiffs,

vs.

HSBC Mortgage Corporation (USA);  
HSBC Bank USA, N.A.; and DOES 1  
through 50, inclusive,

Defendants.

**Case No.: 3:07-cv-2446**

**PLAINTIFFS' INTERROGATORIES, SET I**

PLEASE TAKE NOTICE THAT, pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant HSBC Mortgage Corporation (USA) is requested and required to respond to the following interrogatories within thirty (30) days after service of this request. Interrogatories shall be answered in writing, directed to the offices of Nichols Kaster & Anderson, LLP, One Embarcadero Center, Suite 720, San Francisco, CA 94111.

**INSTRUCTIONS**

1. In answering these interrogatories, Defendant must furnish all requested

1 information, not subject to a valid objection, that is known by, possessed by, or available to  
2 Defendant or any of Defendant's attorneys' consultants, representatives, agents, and all others  
3 acting on behalf of Defendant.

4  
5 2. If Defendant is unable to answer fully any of these interrogatories, Defendant must  
6 answer them to the fullest extent possible, specifying the reason(s) for Defendant's inability to  
7 answer the remainder and stating whatever information, knowledge, or belief Defendant has  
8 concerning the unanswerable portion. An evasive or incomplete answer may be deemed to be a  
9 failure to answer, and may render Defendant and Defendant's attorneys liable for the expenses of  
10 a motion to compel a responsible and complete answer, including reasonable attorney's fees.

11  
12 3. Defendant must object separately to each subpart, and if Defendant objects to less  
13 than all the subparts of a numbered interrogatory then Defendant must answer the remaining  
14 subparts. In addition, if Defendant objects to an interrogatory or a subpart thereof as calling for  
15 information which is beyond the scope of discovery (e.g. "not reasonably calculated to lead to the  
16 discovery of admissible evidence," "work product," "attorney/client privilege," etc.), Defendant  
17 must, nevertheless, answer the interrogatory or subpart thereof to the extent that it is not  
18 objectionable.

19  
20 4. For each interrogatory and subpart of each interrogatory, if the information  
21 furnished in Defendant's answer is not within Defendant's knowledge, identify each person to  
22 whom the information is a matter of knowledge, if known.

23  
24 5. Defendant must continue to supplement each interrogatory response once the  
25 information, document(s), and/or data responsive to each interrogatory request becomes available,  
26 and even after the close of the discovery period in the case.

#### 27 **DEFINITIONS**

28 As used herein, the following terms shall have the meanings indicated:

1           1.     “Statutory period” means from May 7, 2001 to present for all Plaintiffs ever  
2 employed in New York, from May 7, 2003 to present for all Plaintiffs ever employed in  
3 California, and from May 7, 2004 to present for all Plaintiffs employed outside of New York or  
4 California.

5           2.     “Defendant,” “Your,” “You” means HSBC Mortgage Corporation (USA), its  
6 subsidiaries, affiliates, officers, directors, managers, agents and employees.

7           3.     “Identify” (or “state the identify of”) with respect to a natural person means to  
8 state the person’s full name, current or last-known residence and business address and telephone  
9 number, current or last known employer, that employer’s address and the current or last known  
10 position or job title the person held with such employer.

11           4.     “Identify” (or “state the identity of”) with respect to an entity (not a natural  
12 person) means to state its full name, the address of its principal place of business, and its  
13 telephone number.

14           5.     “Identify” (or “state the identity of”) with respect to a document means to state the  
15 date of such document, if any; a general description thereof; identify the signer, preparer, or  
16 sender thereof; state its present location and identify its custodian; and state descriptive  
17 information of sufficient particularity to enable said document to be subject to a subpoena duces  
18 tecum or request for its production.

19           6.     “Document,” “documents,” or “things” refers to all documents and tangible things,  
20 including, but not limited to, all written, printed, typed, recorded, graphic, or symbolic matter of  
21 every type and description, however, and by whomever prepared, produced, reproduced,  
22 disseminated, or made, in any form, including, but not limited to, all statements, writings, letters,  
23 minutes, correspondence, e-mails, telegrams, bulletins, instructions, charts, literature, work  
24 assignments, reports, memoranda, notations, notes of telephone or personal conversations or  
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1 conferences, contracts, agreements, interoffice communications, notes, notebooks, drafts,  
2 microfilm, circulars, pamphlets, studies, notices, summaries, reports, books, graphs, photographs,  
3 data sheets, data compilations, computer data sheets, computer data compilations from which  
4 information can be obtained or can be translated through detection devices into reasonable usable  
5 form, and any other document and thing. The definition also includes all copies of documents or  
6 things by whatever means made.  
7

8 7. "Describe" when used in reference to a factual situation means to state with  
9 particularity and in detail all facts known to you connected with, bearing upon, or relating in any  
10 way to matters contained in interrogatories.

11 8. "Describe" when used in reference to written or oral communication means to  
12 state in detail (1) the type of document or other communication; (2) the date made; (3) the persons  
13 involved in the communication; (4) the present location of the document or other recorded  
14 evidence of the communication; and (5) the subject matter of the document or other  
15 communication, including factual setting in which made, substantive content, and purpose of  
16 communication.  
17

18 9. "State" means to identify and describe as defined above.

19 10. "Statement" shall have the same definition as set forth in the second paragraph of  
20 Rule 26 of the Federal Rules of Civil Procedure and includes, but is not limited to a written  
21 statement signed or otherwise adopted or approved by the person making it, or a stenographic,  
22 mechanical, electrical, or other recording, or a transcription thereof, which is a substantially  
23 verbatim recital of an oral statement by the person making it and contemporaneously recorded.  
24

25 11. "Relating to" means having any connection with the topic of the request or having  
26 some logical or causal connection between the information and the topic of the request whether  
27 the document contains a direct reference to the topic of the request or simply describes or  
28

1 identifies the topic.

2 12. "Plaintiffs" mean all persons identified as Plaintiffs in the caption and all persons  
3 who have filed consent forms in this matter, including persons who file consent forms to join this  
4 matter after the discovery period in this case closes.

5  
6 **INTERROGATORIES**

7 1. With respect to the person signing these Interrogatories please identify the  
8 person's name, business address, and job title.

9 2. Identify all persons who you believe have any information or knowledge with  
10 respect to any facts or matters relating to the allegations in the Complaint or your Answer.

11 3. With respect to each person identified in Interrogatory #2, identify and describe  
12 what information you believe each person may possess.

13 4. Identify all managers responsible for directly supervising Plaintiffs during the  
14 applicable statutory period, including for each his/her name, address, telephone number, job title,  
15 the Plaintiff(s) supervised by him/her, the location at which he/she supervised each Plaintiff, and  
16 the dates he/she supervised each Plaintiff.

17 4. Identify each position title utilized at Defendant during the statutory period for  
18 non-management employees (i.e., employees who, on a day-to-day basis, are not expected to  
19 spend greater than 50% of their time engaged in the management of other employees), describe  
20 the duties performed by each, and state whether each position is classified as exempt or non-  
21 exempt.  
22

23  
24 5. Identify the number of employees employed by Defendant during the statutory  
25 period in the following positions:

26 a. Senior Retail Mortgage Lending Consultants;

27 b. Retail Mortgage Lending Consultants;  
28

1 c. Senior Field Administrators; and

2 d. Field Administrators.

3 6. Identify each employee employed by Defendant during the statutory period in the  
4 position titles listed in Interrogatory 5, stating all position titles each employee held and dates of  
5 employment of each person in each position.  
6

7 7. Identify each of Defendant's branch/store locations at which Senior Retail  
8 Mortgage Lending Consultants, Retail Mortgage Lending Consultants, Senior Field  
9 Administrators, and Field Administrators have been employed during the statutory period, the  
10 date each branch/store opened, and if the branch/store location is no longer open, the date it  
11 closed.  
12

13 8. For each branch/store location, identify the location of all notices, if any, posted by  
14 Defendants explaining to their employees the Fair Labor Standards Act.

15 9. Identify and describe Defendant's date of incorporation, State of incorporation,  
16 subsidiaries and parent company(ies) [This request includes the name, date of incorporation, State  
17 of incorporation of each subsidiary and parent company].

18 10. For the statutory period, state the average weekly compensation that Defendant  
19 paid to Senior Retail Mortgage Lending Consultants, Retail Mortgage Lending Consultants,  
20 Senior Field Administrators, and Field Administrators.  
21

22 11. Identify all persons, by name, job title, dates of employment, and current job  
23 status, whose job included responsibility for determining, company-wide, Defendant's  
24 compliance with wage and hour laws during the last six years.

25 12. To the extent that Defendant is relying on attorney advice for any good faith  
26 defense to liquidated damages and willful conduct, identify the attorney(s), and describe all  
27 conversations and correspondence that were relied upon.  
28

1           13. Identify and describe all written administrative regulations, orders, rulings,  
2           approvals, or interpretations or administrative practice or enforcement policies relied upon by  
3           Defendant in justifying their method of compensating Senior Retail Mortgage Lending  
4           Consultants, Retail Mortgage Lending Consultants, Senior Field Administrators, and Field  
5           Administrators.

6           14. Identify all judicial or other administrative proceedings, lawsuits, investigations, or  
7           inquiries of any kind of Defendant relating to employees' wages or hours worked, including but  
8           not limited to any investigation conducted by any state or federal wage and hour department.

9           15. Identify any and all exhibits that may be introduced at trial or used as exhibits in  
10          deposition.

11          16. Identify any and all witnesses who may be called at trial.

12          17. Identify any expert witness you may call at trial and provide the facts known or  
13          opinions held by the expert consistent with Rule 26(b)(4) of the Federal Rules of Civil Procedure.

14          18. Describe in detail the process in which Defendant classified Senior Retail  
15          Mortgage Lending Consultants, Retail Mortgage Lending Consultants, Senior Field  
16          Administrators, and Field Administrators as exempt and/or non-exempt employees, including  
17          when the decision was made, the reason(s) for the decision, identification of those involved in the  
18          decision-making process, and the information relied upon in making the decision.

19          July 11, 2007

**NICHOLS KASTER & ANDERSON, LLP**

/s/

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Plaintiffs



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**IN THE UNITED STATES DISTRICT COURT  
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Philip Wong, Frederic Chaussy, and Leslie  
Marie Shearn, individually, on behalf of all  
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the general public,

Plaintiffs,

vs.

HSBC Mortgage Corporation (USA);  
HSBC Bank USA, N.A.; and DOES 1  
through 50, inclusive,

Defendants.

**Case No.: 3:07-cv-2446**

**PLAINTIFFS' REQUESTS FOR  
PRODUCTION, SET I**

PLEASE TAKE NOTICE that, pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiffs hereby requests that within thirty (30) days after service of this request, Defendant shall produce and permit Plaintiffs to inspect and copy all of the following documents and things at the offices of Nichols Kaster & Anderson, One Embarcadero Center, Suite 720, San Francisco, CA 94111.

The Defendant shall also serve a written response within thirty (30) days after service of the request, which response shall state the manner in which Defendant will cooperate with the



1 inspection, copying and related activities as to each category of documents and things requested.

2 **INSTRUCTIONS**

3 1. This request seeks all specified documents in the actual or constructive possession,  
4 custody, and/or control of Defendant, the Defendant's attorneys and/or agents, or which are  
5 believed by Defendant, Defendant's attorney(s) and/or agents to exist or previously to have  
6 existed.  
7

8 2. This request is expressly made continuing, requiring additional and supplemental  
9 responses when additional documents and/or things come into the possession custody or control  
10 of Defendant, Defendant's attorney(s) and/or agents until the instant action is finally terminated.  
11 Defendant must continue to supplement its responses to these requests even after the discovery  
12 period in this case closes and even if persons continue to consent to join this action after the  
13 discovery period ends.  
14

15 3. Should Defendant deem any documents and things within the scope of this request  
16 to be privileged, Defendant is requested to list such documents or things and to identify them by  
17 designation of the type of document or thing, the date thereof, the name or names of the originator  
18 thereof, the name of the addressee, the number of pages or other units, to state the present  
19 custodian and location of the document or thing and to state the specific grounds on which the  
20 claim of privilege rests in order that Defendant may have a factual basis to determine whether,  
21 and the basis upon which, to present the asserted privilege to the Court.  
22

23 4. Should the Defendant object to any request, Defendant is requested to specifically  
24 and in detail state the grounds and reasons for the objection, and to state in detail the part of  
25 language of the rest to which Defendant objects, and state which part of the request, if any,  
26 Defendant is answering.  
27

28 5. Objection shall be made at trial to introduction of evidence requested by this

1 Demand for Production but not provided.

2 6. If the document or thing requested herein has been destroyed or discarded or  
3 otherwise disposed of, Defendant shall set forth in the written response a description of each such  
4 document or thing, including its contents, author, or addressee, date of disposal, manner of  
5 disposal, reason for disposal, and person disposing of the document or thing.

6  
7 7. Defendant may attach a copy of a document of the written response, but the  
8 original, if it is in Defendant's, Defendant's attorneys and/or agent(s)' possession, custody, or  
9 control must be available for inspection.

10 **DEFINITIONS**

11 1. "Statutory period" means from May 7, 2001 to present for all Plaintiffs ever  
12 employed in New York, from May 7, 2003 to present for all Plaintiffs ever employed in  
13 California, and from May 7, 2004 to present for all Plaintiffs employed outside of New York or  
14 California.  
15

16 2. "Defendant," "You," or "Your" means HSBC Mortgage Corporation (USA), its  
17 subsidiaries, affiliates, officers, directors, managers, agents, and employees.

18 3. "Document," "documents," and "things" shall mean all documents and tangible  
19 things, including, but not limited to, all written, printed, typed, recorded, graphic, or symbolic  
20 matter of every type and description, however, and by whomever prepared, produced, reproduced,  
21 disseminated, or made, in any form, including, but not limited to, all statements, writings, letters,  
22 minutes, correspondence, e-mails, telegrams, bulletins, instructions, charts, literature, work  
23 assignments, reports, memoranda, notations, notes of telephone or personal conversations or  
24 conferences, contracts, agreements, interoffice communications, notes, notebooks, drafts,  
25 microfilm, circulars, pamphlets, studies, notices, summaries, reports, books, graphs, photographs,  
26 data sheets, data compilations, computer data sheets, computer data compilations from which  
27  
28

1 information can be obtained or can be translated through detection devices into reasonable usable  
2 form, and any other document and thing.

3 4. "Excel format" means documents in "Microsoft Excel" file types, with file  
4 extension ".xls," with tab-separated columns reflecting identified and identifiable data fields.

5  
6 5. "Statement" shall have the same definition as set forth in the second paragraph of  
7 Rule 26 of the Federal Rules of Civil Procedure and includes, but is not limited to, a written  
8 statement or signed or otherwise adopted or approved by the person making it, and/or a  
9 stenographic, mechanical, electrical and/or other recording or transcription thereof, which is  
10 substantially verbatim recital of an oral statement by the person making it.

11 6. "Relating to" means having any connection with the topic of the request of having  
12 some logical or casual connection between the information and the topic of the request whether  
13 the document contains a direct reference to the topic of the request or simply describes or  
14 identifies the topic.

15  
16 7. "Plaintiffs" means all persons identified as Plaintiffs in the caption and all persons  
17 who have filed consent forms in this matter, including persons who file consent forms to join this  
18 matter after the discovery period in this case closes.

19 8. "Personnel File" means all employee records maintained by Defendant's human  
20 resource department or other corporate office, and all documents relating the employee  
21 maintained by his/her supervisor, co-employee, or other person.

22  
23 **REQUESTS FOR PRODUCTION**

24 1. A list, in Excel format, of all persons employed by Defendant as Senior Retail  
25 Mortgage Lending Consultants, Retail Mortgage Lending Consultants, Senior Field  
26 Administrators, and/or Field Administrators at any of Defendant's locations within the applicable  
27 statutory period, including for each his/her name, address, telephone number, dates of  
28

1 employment as a Senior Retail Mortgage Lending Consultants, Retail Mortgage Lending  
2 Consultants, Senior Field Administrators, and/or Field Administrators, location of employment,  
3 employee number, and last four digits of their social security number. For this Request, the  
4 relevant statutory period begins six years prior to the date of the filing of this complaint for New  
5 York employees, four years for California employees, and three years elsewhere, and continues  
6 until the present.  
7

8 2. Plaintiffs' personnel files.

9 3. A list, in Excel format, of all persons employed by Defendant at the locations in  
10 which Plaintiffs worked, including for each his/her name, address, telephone number, job title,  
11 dates of employment, location of employment, and current employment status.  
12

13 4. A list, in Excel format, of all persons employed by Defendant responsible for  
14 directly supervising Senior Retail Mortgage Lending Consultants, Retail Mortgage Lending  
15 Consultants, Senior Field Administrators, and/or Field Administrators during the applicable  
16 statutory period, including for each his/her name, address, telephone number, job title, dates of  
17 employment in that position, location managed, and current employment status.

18 5. A list, in Excel format, of all persons employed by Defendant responsible for  
19 directly supervising, during the statutory period, those deemed responsible for supervising Senior  
20 Retail Mortgage Lending Consultants, Retail Mortgage Lending Consultants, Senior Field  
21 Administrators, and/or Field Administrators identified in Interrogatory No. 4 above, including for  
22 each his/her name, address, telephone number, job title, dates of employment in that position, area  
23 or region managed, and current employment status.  
24

25 6. All documents that identify or describe Defendant's hierarchical structure, during  
26 the applicable statutory period, including but not limited to its divisions or departments, the job  
27 titles within the structure, and the persons holding board, officer, and management positions  
28

1 within the structure.

2 7. All compensation plans and other documents relating to Defendant's policies,  
3 procedures, or methods of compensating Senior Retail Mortgage Lending Consultants, Retail  
4 Mortgage Lending Consultants, Senior Field Administrators, and Field Administrators during the  
5 applicable statutory period.  
6

7 8. All documents relating to any changes in Defendant's policies, procedures or  
8 methods of paying Senior Retail Mortgage Lending Consultants, Retail Mortgage Lending  
9 Consultants, Senior Field Administrators, and Field Administrators in the last six years.

10 9. All records, in Excel format, of compensation paid to Plaintiffs during the  
11 applicable statutory period, per week and per pay period.  
12

13 10. All documents containing, identifying or describing all communications between  
14 Defendant and Plaintiffs relating to their compensation, hours of work, and overtime.

15 11. All timesheets or other documents identifying or describing the hours worked by  
16 Plaintiffs during the statutory period.

17 12. All schedules or other documents identifying or describing the anticipated  
18 schedules to be worked by Plaintiffs during the statutory period.

19 13. All phone logs, records, bills, or other documents identifying or describing the date  
20 and time of Plaintiffs' telephone activity during the statutory period.  
21

22 14. All computer logs, records, reports or other documents demonstrating the starting  
23 and ending times of Plaintiffs' computer activity during each day of the statutory period.

24 15. All email or other electronic messages sent to or from Plaintiffs through  
25 Defendant's email or computer systems regarding or in any way relating to their hours worked,  
26 overtime, and meals and rest periods during the applicable statutory period.  
27

28 16. All emails or other electronic messages sent to or from Plaintiffs' supervisors

1 through Defendant's email or computer systems during the statutory period regarding or in any  
2 way relating to Senior Retail Mortgage Lending Consultants', Retail Mortgage Lending  
3 Consultants', Senior Field Administrators', and/or Field Administrators' hours worked, overtime,  
4 and meals and rest periods during the applicable statutory period.

5  
6 17. All time-stamped documents, including closing documents, security logs, faxes, or  
7 other documents that provide an identifiable time for the beginning and ending of work-related  
8 activity by Plaintiffs that have not been identified and produced in connection with Interrogatories  
9 Nos. 12-16.

10 18. All official, published job descriptions identifying or describing the job duties and  
11 responsibilities of any non-management positions (i.e., employees who, on a day-to-day basis, are  
12 not expected to spend greater than 50% of their time engaged in the management of other  
13 employees) during the applicable statutory period.

14  
15 19. All job postings, advertisements, or other vacancy listings identifying and  
16 describing the Senior Retail Mortgage Lending Consultant, Retail Mortgage Lending Consultant,  
17 Senior Field Administrator, and/or Field Administrator positions during the applicable statutory  
18 period.

19 20. All orientation materials provided to Plaintiffs upon their hire.

20 21. All training materials provided to Plaintiffs during their employment.

21 22. All policy, procedure or employee rules, handbooks, or manuals in effect and  
22 applicable to Plaintiffs during the statutory period.

23  
24 23. All documents used generally by Senior Retail Mortgage Lending Consultants,  
25 Retail Mortgage Lending Consultants, Senior Field Administrators, and Field Administrators in  
26 the performance of their jobs, including any standard manuals, charts, graphs, matrixes,  
27 instructions, directions, rules, policies, or procedures.

1           24. All documents that rank or otherwise compare or contrast Senior Retail Mortgage  
2 Lending Consultants', Retail Mortgage Lending Consultants', Senior Field Administrators',  
3 and/or Field Administrators' performance within each location, area, region or nationally.

4           25. All documents relating to Defendant's decision not to pay Senior Retail Mortgage  
5 Lending Consultants, Retail Mortgage Lending Consultants, Senior Field Administrators, and/or  
6 Field Administrators overtime compensation.

7           26. All documents that identify or describe all efforts taken by Defendant to comply  
8 with the Fair Labor Standards Act and other state wage and hour laws relating to overtime  
9 compensation.

10           27. All documents that identify, describe, or relate to any claim that Defendant's  
11 method of compensating Senior Retail Mortgage Lending Consultants, Retail Mortgage Lending  
12 Consultants, Senior Field Administrators, and Field Administrators was performed with a good  
13 faith reasonable belief that it was complying with the Fair Labor Standards Act and other state  
14 wage and hour laws relating to overtime compensation.

15           28. All documents that identify, describe or relate to any claim made by Defendant  
16 that it relied on attorney advice for any claim that their method of compensating Senior Retail  
17 Mortgage Lending Consultants, Retail Mortgage Lending Consultants, Senior Field  
18 Administrators, and Field Administrators was performed with a good faith reasonable belief that  
19 it was complying with the Fair Labor Standards Act and other state wage and hour laws relating  
20 to overtime compensation.

21           29. All documents relating to oral or written complaints or inquiries by any Senior  
22 Retail Mortgage Lending Consultants, Retail Mortgage Lending Consultants, Senior Field  
23 Administrators, and Field Administrators regarding Defendant's methods of compensation during  
24 the last ten years.



1           30. All documents relating to oral or written complaints or inquiries, lawsuits or  
2 administrative filings made by any Senior Retail Mortgage Lending Consultants, Retail Mortgage  
3 Lending Consultants, Senior Field Administrators, and Field Administrators regarding  
4 Defendant's methods of compensation during the last ten years.

5           31. All documents relating to any contact between Defendant and the Department of  
6 Labor or any other federal or state government agency regarding Defendant's compensation  
7 practices during the last ten years.

8           32. All documents containing, identifying or describing all communications between  
9 Defendant and any Senior Retail Mortgage Lending Consultants, Retail Mortgage Lending  
10 Consultants, Senior Field Administrators, and/or Field Administrators relating to this lawsuit.

11           33. All documents that may be offered into evidence at trial or depositions or may be  
12 used to refresh the recollection of a witness at depositions or trial.

13           34. All statements of witnesses or potential witnesses or persons interviewed in  
14 connection with this case.

15           35. All documents relied upon or reviewed by Defendant's expert witnesses in  
16 forming his/her opinions in this matter.

17           36. All documents obtained as a result of releases and/or subpoenas relating to this  
18 case.

19           37. All documents not produced in response to prior Requests containing guidance  
20 provided during the statutory period to Senior Retail Mortgage Lending Consultants, Retail  
21 Mortgage Lending Consultants, Senior Field Administrators, and/or Field Administrators  
22 regarding the taking of meal breaks.

23           38. All documents not produced in response to prior Requests containing guidance  
24 provided during the statutory period to Senior Retail Mortgage Lending Consultants, Retail  
25

1 Mortgage Lending Consultants, Senior Field Administrators, and/or Field Administrators  
2 regarding the taking of rest periods.

3 39. All documents not produced in response to prior Requests containing guidance  
4 provided during the statutory period to Senior Retail Mortgage Lending Consultants, Retail  
5 Mortgage Lending Consultants, Senior Field Administrators, and/or Field Administrators  
6 regarding compensation for missed or interrupted rest periods.

7  
8 40. All documents not produced in response to prior Requests containing guidance  
9 provided during the statutory period to Senior Retail Mortgage Lending Consultants, Retail  
10 Mortgage Lending Consultants, Senior Field Administrators, and/or Field Administrators  
11 regarding the taking of rest periods.

12  
13 41. All documents not produced in response to prior Requests containing guidance  
14 provided during the statutory period to Senior Retail Mortgage Lending Consultants, Retail  
15 Mortgage Lending Consultants, Senior Field Administrators, and/or Field Administrators  
16 regarding compensation for missed rest periods.

17 42. All documents not produced in response to prior Requests containing guidance  
18 provided during the statutory period to Senior Retail Mortgage Lending Consultants, Retail  
19 Mortgage Lending Consultants, Senior Field Administrators, and/or Field Administrators  
20 regarding compensation for overtime.  
21

22 July 11, 2007

**NICHOLS KASTER & ANDERSON, LLP**

/s/

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25 NICHOLS KASTER & ANDERSON, LLP  
26 One Embarcadero Center  
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San Francisco, CA 94111

27 Attorneys for Individual and Representative  
28 Plaintiffs